



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,106	11/19/2001	Naoyuki Oe	2985.1000	8073
5514	7590	04/21/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			GILLIS, BRIAN J	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/988,106		OE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Brian Gillis		2141	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2001 and 04 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 44-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group I (Claims 1-43) in the reply filed on March 4, 2005 is acknowledged.

Claims 44-56 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 4, 2005.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6, 10, 13, 15, 19, 22, 24, 28, 31-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Hunnicutt et al (US Patent #5,889,952).

(Claims 1, 10, 19, and 28 disclose) an information processing method, apparatus, storage medium, and program of controlling access to computer resource(s) managed by an operating system, such as a file, network, storage device, display screen, or external device, comprising: a trap step of trapping an operation request from a process or operating system for the computer resource before access to the computer resource (Hunnicutt et al teaches of once a request is made the server checks an access cache to determine if access can be granted (column 5, lines 54-58).); a determination step of determining whether an access right for the computer resource

Art Unit: 2141

designated by the operation request trapped in the trap step is present (Hunnicut et al teaches of a check system which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58).); a processing step of, if it is determined in the determination step that the access right is present, transferring the operation request to the operating system and returning a result from the operating system to the request source process (Hunnicut et al teaches if a matching access permission exists then access to the file is granted (column 5, lines 58-61).); and a denial step of denying the operation request if it is determined in the determination step that no access right is present (Hunnicut et al teaches if no permission is granted an error message is generated to the user denying access (figure 5)).

(Claims 3, 12, and 21 disclose) the method according to claim 1, wherein in the determination step, it is determined whether the access right is present by looking up an access right management table containing resource designation information that designates a specific computer resource, condition information under which the access right is validated, and access right information that designates an access right that is extended but not defined in an existing environment (Hunnicut et al teaches of an access control list which can be associated to a single file or a list of files. The list contains which users have access and what type of rights are allowed to the specific user (column 4, lines 44-49, column 5, lines 15-19, figure 3).

(Claims 4, 13, and 22 disclose) the method, apparatus, and storage medium according to claims 1, 10, and 19 wherein in the determination step, it is determined whether the access right is present by looking up access right information that is

Art Unit: 2141

described in the computer resource to designate an access right that is extended but not defined in an existing environment (Hunnicut et al teaches of a decision block which operated to determine if an access control list of the requested file-object permits the access by the requested user (column 8, lines 41-46)).

(Claims 6, 15, and 24 disclose) the method, apparatus, and storage medium according to claim 3 or 4, wherein the access right information contains information that designates at least one of a right to move to another medium, a right to copy to another medium, a right to print, a right to write to a shared memory, a right to capture a screen, and a right to restrict use processes (Hunnicut et al teaches of an access control list which each file objected has associated with it. The list contains access control entries which defines what type of access the user has, one option is full control which allows manipulation in any way possible (column 4, lines 63-67)).

(Claim 31 discloses) the program according to claim 28, wherein the computer resource includes contents of a Web cast, digital broadcasting, and music distribution (Hunnicut et al teaches of the resources being on a file level which means each file object stored on a server (column 4, lines 44-49, 56-57)).

(Claims 32, 33, 34, and 35 disclose) a system, control method, storage medium, and program for an information processing system constituted by connecting first and second terminals through a communication network, comprising: a trap step of, in the first terminal, trapping an operation request from a process or operating system for computer resource(s) in the second terminal before access to the computer resource (Hunnicut et al teaches of once a request by a client is made the server checks an

access cache to determine if access can be granted (column 5, lines 54-58, figure 1).); a determination step of determining, in the second terminal, whether an access right for the computer resource designated by the operation request trapped in the trap step is present (Hunnicutt et al teaches of a check system on the server which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58, figure 1).); a processing step of, if it is determined in the determination step that the access right is present, transferring the operation request to the operating system in the first terminal and returning a result from the operating system to the request source process (Hunnicutt et al teaches if a matching access permission exists then access to the file is granted (column 5, lines 58-61, figure 1).); and a denial step of denying the operation request if it is determined in the determination step that no access right is present (Hunnicutt et al teaches if no permission is granted an error message is generated to the user denying access (figure 5)).

(Claims 36, 38, 40, and 42 disclose) an apparatus, method, storage medium, and program connected to another terminal through a communication network, comprising: a trap step of trapping an operation request from a process or operating system for computer resource(s) in the other terminal before access to the computer resource (Hunnicutt et al teaches of once a request by a client is made the server checks an access cache to determine if access can be granted (column 5, lines 54-58, figure 1).); and a reception step of receiving a reply to the operation request (Hunnicutt et al teaches of the server communicating with other servers and clients using a standard communications protocol (column 3, lines 37-39, figure 1)).

Art Unit: 2141

(Claims 37, 39, 41, and 43 disclose) an apparatus, method, storage medium, and program connected to another terminal through a communication network, comprising: a determination step of determining whether an access right is present for computer resource(s) in the information processing apparatus, which is designated by an operation request for the computer resource trapped by the other terminal before access to the computer resource (Hunnicut et al teaches of a check system on the server which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58, figure 1).); a processing step of, if it is determined in the determination step that the access right is present, transferring the operation request to an operating system in the other terminal and returning a result from the operating system to a request source process (Hunnicut et al teaches if a matching access permission exists then access to the file is granted (column 5, lines 58-61, figure 1).); and a denial step of denying the operation request if it is determined in the determination step that no access right is present (Hunnicut et al teaches if no permission is granted an error message is generated to the user denying access (figure 5)).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



Claims 2, 11, 20, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunnicutt et al (US Patent #5,889,952) in view of New, JR. et al (US PG PUB #US2003/0028653).

Claims 2, 11, 20, 29 disclose the method, apparatus, storage medium, and program according to claim 1, wherein in the trap step, the operation request from the process or operating system for the computer resource is further trapped before access to the computer resource. Hunnicutt et al teaches of the limitations of claim 1 as recited above (column 5, lines 54-61, figure 5). It fails to teach of further trapping the request for a resource before access to the resource. New JR. et al teaches of trapping the request to authorize the use and then to determine if the user has sufficient credit (figure 4).

Hunnicutt et al and New JR. et al are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the traps in New JR. et al with the system in Hunnicutt et al because the system provides added security by preventing unauthorized copies of programs (paragraph 33, lines 8-13).

Claim 30 discloses the program according to claim 28, wherein if it is determined in the determination step that no access right is present, and access is denied in the denial step, an access right is permitted by charging. Hunnicutt et al teaches of the limitations of claim 28 as recited above (column 5, lines 54-61, figure 5). It fails to teach



of granting access rights by charging the requester. New JR. et al teaches of billing the user if the requester has insufficient credit (figure 4).

Hunnicut et al and New JR. et al are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the traps in New JR. et al with the system in Hunnicutt et al because the system provides added security by preventing unauthorized copies of programs (New JR. et al, paragraph 33, lines 8-13).

Claims 5, 7-9, 14, 16-18, 23, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunnicutt et al (US Patent #5,889,952) in view of Miller et al (US Patent #5,550,968).

Claims 5, 14, and 23 disclose the method, apparatus, and storage medium according to claim 1, wherein in the determination step, it is determined whether the access right is present by determining whether the access right can be acquired. Hunnicutt et al teaches of the limitations of claim 1 as recited above (column 5, lines 54-61, figure 5). It fails to teach of determining whether the access right can be acquired. Miller et al teaches of a technique when the password is entered and correct then it is determined that access can be acquired and then security control provides access to the user (column 8, lines 61-65, figure 5B).

Hunnicut et al and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the technique in Miller et al with the system in Hunnicutt et al because security is provided while using relatively small amounts of computer memory (Miller et al, column 2, lines 23-25)

Claims 7, 16, and 25 disclose the method, apparatus, and storage medium according to claim 1, wherein in the denial step, an access denial error message is returned to the request source process without any access to the requested computer resource. Hunnicutt et al teaches of the limitations of claim 1 as recited above (column 5, lines 54-61, figure 5). It fails to teach of returning a denial error message. Miller et al teaches of informing the user of an incorrect password (column 9, lines 32-38, figure 5B).

Hunnicutt et al and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

Claims 8, 17, and 26 disclose the method, apparatus, and storage medium according to claim 1, wherein in the denial step, a successful access message is returned to the request source process without any access to the requested computer resource. Hunnicutt et al teaches of the limitations of claim 1 as recited above (column 5, lines 54-61, figure 5). It fails to teach of returning a success message without access

to the request resource. Miller et al teaches of returning a window as a user would see if access was successful but with the controls obscured when access is denied (column 9, lines 41-44).

Hunnicut et al and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

Claims 9, 19, and 27 disclose the method according to claim 1, wherein in the denial step, the operation request is converted into an operation request for a dummy computer resource and transferred to the operating system, and a result from the operating system is returned to the request source process. Hunnicutt et al teaches of the limitations of claim 1 as recited above (column 5, lines 54-61, figure 5). It fails to teach of converting the actual request into a request for a dummy resource and returning a result from the operating system. Miller et al teaches of a system which returns to a step if the password entry subroutine is ended and displays the window as a user would see if the access was granted but with some fields obscured to the user (column 9, lines 41-44).

Hunnicut et al and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pereira (US Patent #5,809,230) teaches of controlling access to personal computer system resources. Glasser et al (US Patent #5,956,715) teaches of controlling user access to a resource in a networked computing environment. Glasser et al (US Patent #6,308,173) teaches of controlling resource access in a network-computing environment. Natsuno et al (US PGPUB 2003/0018918) teaches of an authentication system for controlling users access to desired sites.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:45-4:15.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharra can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Gillis  
Examiner  
Art Unit 2141

BJG

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER